



U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 27, 2007

BY HAND

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 1040
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/3/08

Re: United States v. Ricardo Cuesado,
07 Cr. 799 (DLC)

Dear Judge Cote:

The Government is in receipt of defense counsel's December 21, 2007 letter requesting an adjournment of the January 10, 2008 trial date in the above-referenced matter so as to conduct a psychiatric assessment of the defendant. The Government has discussed this matter with defense counsel, and, based on defense counsel's representations, also has concerns about the defendant's competency. The Government therefore joins in defense counsel's request that the trial scheduled for January 10, 2008, be adjourned such that a competency examination of the defendant may be completed.

Defense counsel is reminded that letters may NOT be filed through the ECF system. See SDNY ECF Rules. Having received notice of this application through the Government's letter, the application is granted, and time is excluded to permit the examination. The parties shall present the appropriate order by January 5, 2008.
cc: Sabrina P. Shroff, Esq.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

Michael M. Rosensaft
Michael M. Rosensaft
Assistant U.S. Attorney
(212) 637-2366
(212) 637-2387 (fax)

Denise Cote
January 3, 2008